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EXAMINER	
MILIA, MARK R	
ART UNIT	PAPER NUMBER
2622	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/010,462

Applicant(s)

FITCH, CATHERINE JO

Examiner

Mark R. Milia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 11/9/05 and has been entered and made of record. Currently, claims 1-20 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Limitation "c" states "instructions for allowing a user to automatically initiate a video conference...". It is unclear as to whether the initiation is done by the user or automatically as the current claim wording does not explicitly specify how the video conference is actually initiated. Further, a user cannot be seen to automatically perform a task based on a particular occurrence.

Claim Rejections - 35 USC § 101

4. Applicant's amendment to claim 19 to write the claim in statutory form has overcome the rejection of claims 19 and 20 as cited in the previous Office Action. Therefore the rejection has been withdrawn.

Response to Arguments

5. Applicant's arguments, see pages 6-7, filed 11/9/05, with respect to the rejection(s) of claim(s) 1-20 under 35 U.S.C. 102 and 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the current amendments to the claims and newly found prior art. Examiner agrees that the reference of Smith fails to disclose automatically receiving up-to-date audio/video printer information to the display in direct proximity with the printer via a network connected to the supplemental audio/video control device in response to a user initiated query regarding troubleshooting problems. Regarding the amendment to claim 19, the reference of Bruno discloses an on-demand real-time video conferencing system. The newly found reference of Rapke-Kraft (US 6903831) discloses the need for a customer service representative to be contacted in order to eliminate a particular fault (see column 6 lines 43-46) and the reference of Smith discloses that certain fault conditions automatically lead the user through the steps necessary to correct the fault (see column

8 lines 19-22). The combination of the above mentioned references disclose the newly added limitation recited in claim 19, which will be further explained in the following rejection.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of U.S. Patent No. 6903831 to Rapke-Kraft et al.

Regarding claim 1, Smith discloses a computer system of networked computer (s) and printer(s), a help apparatus for printers, the help apparatus comprising: a) a printer (see Fig. 1 and column 4 lines 26-34) and b) a supplemental audio/video control device conformed to display audio/visual information concerning the functioning of said printer connected to said printer at said printer (see Figs. 1 and 2, column 3 lines 35-46, column 4 lines 42-51 and 61-67, and column 8 lines 4-60).

Smith does not disclose expressly c) a response module configured to automatically receive up-to-date audio/video printer information to the display in direct proximity with the printer via a network connected to the supplemental audio/video control device in response to a user initiated query regarding printer troubleshooting problems.

Rapke-Kraft discloses c) a response module configured to automatically receive up-to-date audio/video printer information to the display in direct proximity with the printer via a network connected to the supplemental audio/video control device in response to a user initiated query regarding printer troubleshooting problems (see column 1 lines 10-37, column 2 lines 7-21, column 2 line 58-column 3 line 2, column 3 lines 6-11 and 60-67, column 4 lines 28-44 and 50-58, column 5 lines 29-31, column 6 lines 32-52, and column 7 lines 25-52).

Smith & Rapke-Kraft are combinable because they are from the same field of endeavor, supplemental information support for printing machines.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the updating of supplemental printer information via a network as described by Rapke-Kraft with the system of Smith. Updating of information is well known and commonly used in the art. For example, device drivers that connect to a network and receive updated programs, anti-virus software that is updated with current virus definitions, etc.

The suggestion/motivation for doing so would have been to ensure that current printer information is always provided to a user to aid in the correction of a particular error or problem. This ensures the user will be able to properly correct the fault that has been encountered without the need to have a service technician service the device as this creates unwanted downtime and increased cost.

Therefore, it would have been obvious to combine Rapke-Kraft with Smith to obtain the invention as specified in claim 1.

Regarding claim 2, Smith and Rapke-Kraft disclose the system discussed in claim 1, and Smith further discloses wherein the element b) is conformed to display prerecorded videos (see column 8 lines 32-45).

Regarding claim 3, Smith and Rapke-Kraft disclose the system discussed in claim 1, and Smith further discloses wherein the element b) is conformed to receive dynamic content for display (see column 8 lines 4-31).

8. Claims 10-12 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of U.S. Patent No. 6718490 to Takemoto et al. and Rapke-Kraft.

Regarding claim 10, Smith discloses d) a supplemental audio/visual control means for displaying audio/visual information concerning the functioning of said at least one printer connected to said at least one printer at said at least one printer (see Figs. 1 and 2, column 3 lines 35-46, column 4 lines 42-51 and 61-67, and column 8 lines 4-60).

Smith does not disclose expressly a computer system of a plurality of networked computers and at least one distributed printer, a supplemental help apparatus for assisting in the operation of said at least one printer, the apparatus comprising: a) a plurality of computers, b) a network connected to said computers, c) at least one distributed printer connected to said network, and e) a response module configured to automatically receive up-to-date audio/video printer information to the display in direct proximity with the printer via a network connected to the supplemental audio/video

control device in response to a user initiated query regarding printer troubleshooting problems.

Takemoto discloses a computer system of a plurality of networked computers and at least one distributed printer, a supplemental help apparatus for assisting in the operation of said at least one printer, the apparatus comprising: a) a plurality of computers (see Fig. 1 and column 5 lines 14-38), b) a network connected to said computers (see Fig. 1, column 5 lines 14-38, and column 6 lines 7-11), c) at least one distributed printer connected to said network (see Fig. 1 and column 5 lines 14-38).

Takemoto does not disclose expressly e) a response module configured to automatically receive up-to-date audio/video printer information to the display in direct proximity with the printer via a network connected to the supplemental audio/video control device in response to a user initiated query regarding printer troubleshooting problems.

Rapke-Kraft discloses c) a response module configured to automatically receive up-to-date audio/video printer information to the display in direct proximity with the printer via a network connected to the supplemental audio/video control device in response to a user initiated query regarding printer troubleshooting problems (see column 1 lines 10-37, column 2 lines 7-21, column 2 line 58-column 3 line 2, column 3 lines 6-11 and 60-67, column 4 lines 28-44 and 50-58, column 5 lines 29-31, column 6 lines 32-52, and column 7 lines 25-52).

Regarding claim 14, Smith discloses a computer system of networked computers and at least one distributed printer, a method of controlling the functioning of the at least

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one distributed printer, the method comprising the steps of: b) connecting a supplemental audio/visual control means for displaying audio/visual information concerning the functioning of said at least one printer to said at least one printer at said at least one printer (see Figs. 1 and 2, column 3 lines 35-46, column 4 lines 42-51 and 61-67, and column 8 lines 4-60), c) receiving functioning information by said supplemental audio/visual control means from said at least one printer concerning the functioning of said at least one printer (see column 8 lines 4-60), and d) providing a user of said at least one printer, by said supplemental audio/visual control means, with a selection of audio/visual information from which to choose in responding to said functioning information (see column 8 lines 13-31).

Smith does not disclose expressly a) providing at least one distributed printer and e) a response module configured to automatically receive up-to-date audio/video printer information to the display in direct proximity with the printer via a network connected to the supplemental audio/video control device in response to a user initiated query regarding printer troubleshooting problems.

Takemoto discloses a) providing at least one distributed printer (see Fig. 1 and column 5 lines 14-38).

Takemoto does not disclose expressly e) a response module configured to automatically receive up-to-date audio/video printer information to the display in direct proximity with the printer via a network connected to the supplemental audio/video control device in response to a user initiated query regarding printer troubleshooting problems.

Rapke-Kraft discloses c) a response module configured to automatically receive up-to-date audio/video printer information to the display in direct proximity with the printer via a network connected to the supplemental audio/video control device in response to a user initiated query regarding printer troubleshooting problems (see column 1 lines 10-37, column 2 lines 7-21, column 2 line 58-column 3 line 2, column 3 lines 6-11 and 60-67, column 4 lines 28-44 and 50-58, column 5 lines 29-31, column 6 lines 32-52, and column 7 lines 25-52).

Smith, Takemoto, & Rapke-Kraft are combinable because they are from the same field of endeavor, detection and display of errors related to a printing process.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the plurality of computers connected to a distributed printer via a network, which is well known and used in the art, as described by Takemoto and the updating of supplemental printer information via a network as described by Rapke-Kraft with the system of Smith.

The suggestion/motivation for doing so would have been to allow a user, even a low proficiency user, to easily correct printer errors with the help of support information provided by the printer in an environment in which a plurality of users share a printer and to ensure that current printer information is always provided to a user to aid in the correction of a particular error or problem. This ensures the user will be able to properly correct the fault that has been encountered without the need to have a service technician service the device as this creates unwanted downtime and increased cost.

Therefore, it would have been obvious to combine Takemoto and Rapke-Kraft with Smith to obtain the invention as specified in claims 10 and 14.

Regarding claim 11, Smith, Takemoto, and Rapke-Kraft disclose the system discussed in claim 10, and Takemoto further discloses wherein element b) comprises the Internet network (see column 6 lines 7-11).

Regarding claim 12, Smith, Takemoto, and Rapke-Kraft disclose the system discussed in claim 10, and Takemoto further discloses wherein element c) comprises more than one printer (see column 11 lines 59-61).

Regarding claim 15, Smith, Takemoto, and Rapke-Kraft disclose the system discussed in claim 14, and Takemoto further discloses connecting said distributed printer to a network (see column 6 lines 7-11).

Regarding claim 16, Smith, Takemoto, and Rapke-Kraft disclose the system discussed in claim 15, and Takemoto further discloses connecting to the Internet network (see column 6 lines 7-11).

Regarding claim 17, Smith, Takemoto, and Rapke-Kraft disclose the system discussed in claim 14, and Takemoto further discloses connecting more than one distributed printer to the network (see column 11 line 59-column 12 line 8).

9. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Takemoto, Rapke-Kraft, and U.S. Patent No. 5784561 to Bruno et al.

Regarding claim 19, Smith discloses a system of at least one printer, a computer program product for providing user help in the functioning of said at least one printer, the computer program product comprising: a) instructions for a supplemental audio/visual control, connected to said at least one printer at said at least one printer, such that said supplemental audio/visual control is conformed to display audio/visual information concerning the functioning of said at least one printer (see Figs. 1 and 2, column 3 lines 35-46, column 4 lines 42-51 and 61-67, and column 8 lines 4-60).

Smith does not disclose expressly providing at least one distributed printer, b) response instructions to automatically receive up-to-date audio/video printer information via a network connected to the supplemental audio/video control device in response to a user initiated query regarding printer troubleshooting problems and being displayed in direct proximity with the printer, and c) instructions for allowing a user to automatically initiate a video conference with a troubleshooting technical support center for the printer if a predetermined error condition occurs with the printer.

Takemoto discloses providing at least one distributed printer (see Fig. 1 and column 5 lines 14-38).

Takemoto does not disclose expressly b) response instructions to automatically receive up-to-date audio/video printer information via a network connected to the supplemental audio/video control device in response to a user initiated query regarding printer troubleshooting problems and being displayed in direct proximity with the printer, and c) instructions for allowing a user to automatically initiate a video conference with a

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troubleshooting technical support center for the printer if a predetermined error condition occurs with the printer.

Rapke-Kraft discloses b) response instructions to automatically receive up-to-date audio/video printer information via a network connected to the supplemental audio/video control device in response to a user initiated query regarding printer troubleshooting problems and being displayed in direct proximity with the printer (see column 1 lines 10-37, column 2 lines 7-21, column 2 line 58-column 3 line 2, column 3 lines 6-11 and 60-67, column 4 lines 28-44 and 50-58, column 5 lines 29-31, column 6 lines 32-52, and column 7 lines 25-52).

Rapke-Kraft does not disclose expressly c) instructions for allowing a user to automatically initiate a video conference with a troubleshooting technical support center for the printer if a predetermined error condition occurs with the printer.

Bruno discloses an on-demand real-time video conference system (see column 2 lines 14-23 and 55-59).

Smith, Takemoto, Rapke-Kraft, & Bruno are combinable because they are from user interaction to acquire needed materials.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to the plurality of computers connected to a distributed printer via a network, which is well known and used in the art, as described by Takemoto, the updating of supplemental printer information via a network as described by Rapke-Kraft, and the on-demand video conferencing as described by Bruno with the system of Smith.

The suggestion/motivation for doing so would have been to ensure that current printer information is always provided to a user to aid in the correction of a particular error or problem. This ensures the user will be able to properly correct the fault that has been encountered without the need to have a service technician service the device as this creates unwanted downtime and increased cost.

Therefore, it would have been obvious to combine Takemoto, Rapke-Kraft, and Bruno with Smith to obtain the invention as specified in claim 19.

Regarding claim 20, Smith, Takemoto, Rapke-Kraft, & Bruno disclose the system discussed in claim 19, and Smith further discloses wherein said supplemental audio/video control device is conformed to display prerecorded videos and to receive dynamic content for display (see column 8 lines 4-45). Bruno further discloses wherein said supplemental audio/video control device is conformed to conduct video conferences (see column 2 lines 14-23 and 55-59).

10. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith and Rapke-Kraft as applied to claim 1 above, and further in view of Takemoto.

Regarding claim 6, Smith and Rapke-Kraft do not disclose expressly at least one computer connected to said printer by a network.

Takemoto discloses at least one computer connected to said printer by a network (see Fig. 1 and column 5 lines 14-38).

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Regarding claim 7, Smith and Rapke-Kraft do not disclose expressly wherein said network comprises the Internet network.

Takemoto discloses wherein said network comprises the Internet network (see column 6 lines 7-11).

Regarding claim 8, Smith and Rapke-Kraft do not disclose expressly wherein said network comprises an intranet network.

Takemoto discloses wherein said network comprises an intranet network (see column 6 lines 7-11).

Regarding claim 9, Smith and Rapke-Kraft do not disclose wherein element a) comprises more than one printer.

Takemoto discloses wherein element a) comprises more than one printer (see column 11 lines 59-61).

Smith & Takemoto are combinable because they are from the same field of endeavor, detection and display or errors related to a printing process.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the plurality of computers connected to a distributed printer(s) via a network as described by Takemoto and well known in the art with the system of Smith.

The suggestion/motivation for doing so would have been to allow a user, even a low proficiency user, to easily correct printer errors with the help of support information provided by the printer in an environment in which a plurality of users share a printer.

Therefore, it would have been obvious to combine Takemoto with Smith to obtain the invention as specified in claims 6-9.

11. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith and Rapke-Kraft as applied to claim 1 above, and further in view of Bruno.

Regarding claim 4, Smith and Rapke-Kraft do not disclose expressly wherein element b) is conformed to conduct video conferences.

Bruno discloses video conferencing (see column 2 lines 14-23 and 55-59).

Regarding claim 5, Smith discloses wherein said supplemental audio/video control device is conformed to display prerecorded videos and to receive dynamic content for display (see column 8 lines 4-45).

Smith and Rapke-Kraft do not disclose expressly wherein said supplemental audio/video control device is conformed to conduct video conferences.

Bruno discloses wherein said supplemental audio/video control device is conformed to conduct video conferences (see column 2 lines 14-23 and 55-59).

Smith, Rapke-Kraft, & Bruno are combinable because they are from the same problem solving area, user interaction to acquire needed materials.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the use of video conferencing as described by Bruno with the systems of Smith and Rapke-Kraft.

The suggestion/motivation for doing so would have been to provide on-demand, real-time interaction to acquire support information relating to a printer.

Therefore, it would have been obvious to combine Bruno with Smith and Rapke-Kraft to obtain the invention as specified in claims 4 and 5.

12. Claims 13 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith, Takemoto, and Rapke-Kraft as applied to claims 10 and 14, above, and further in view of Bruno.

Regarding claims 13 and 18, Smith discloses wherein said supplemental audio/video control device is conformed to display prerecorded videos and to receive dynamic content for display (see column 8 lines 4-45).

Smith, Takemoto, and Rapke-Kraft do not disclose expressly wherein said supplemental audio/video control device is conformed to conduct video conferences.

Bruno discloses wherein said supplemental audio/video control device is conformed to conduct video conferences (see column 2 lines 14-23 and 55-59).

Smith, Takemoto, Rapke-Kraft & Bruno are combinable because they are from the same problem solving area, user interaction to acquire needed materials.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the use of video conferencing as described by Bruno with the systems of Smith, Takemoto, and Rapke-Kraft.

The suggestion/motivation for doing so would have been to provide on-demand, real-time interaction to acquire support information relating to a printer.

Therefore, it would have been obvious to combine Bruno with Smith and Takemoto to obtain the invention as specified in claims 13 and 18.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark R. Milia
Examiner
Art Unit 2622

MRM


EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER